

HONORABLE JAMAL N. WHITEHEAD

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

VALVE CORPORATION,

Petitioner,

v.

ABBRUZZESE et al.,

Respondents.

No. 2:24-cv-1717-JNW

**VALVE CORPORATION’S (I) NOTICE  
OF VOLUNTARY DISMISSAL UNDER  
RULE 41(a)(1)(A)(i) OR (II) IN THE  
ALTERNATIVE, LCR 7(l) NOTICE OF  
WITHDRAWAL OF PETITION AS TO  
24 RESPONDENTS**

On October 18, 2024, Petitioner Valve Corporation brought in this Court, pursuant to the Federal Arbitration Act, 9 U.S.C. § 4, a petition to enjoin arbitrations (“Petition”) pending before the American Arbitration Association (“AAA”). (Dkt. 1.) Valve now hereby voluntarily dismisses under Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure—or, in the alternative, withdraws under Local Civil Rule 7(l)<sup>1</sup>—its Petition with respect to the 23 Respondents listed below (“Concluded Respondents”) because their arbitrations are now closed:

1. Brennan Anderson
2. Harris Banks

---

<sup>1</sup> Valve’s position is that the Petition is properly treated as a motion and therefore withdrawal under Local Civil Rule 7(l) is appropriate. *See Moses H. Cone Mem’l Hosp. v. Mercury Constr. Corp.*, 460 U.S. 1, 22 n.26 (1983) (petition for order under Section 4 of the FAA “was properly treated procedurally as a motion”); L.R.Civ.P. 7(l) (“A moving party may withdraw its own pending motion by filing a Notice to Withdraw Pending Motion.”). On December 2, 2024, this Court issued an order stating that “the Court construes the Petition at this point as a complaint.” (Dkt. 46.) Valve therefore submits this notice under both Rule 41(a)(1)(A)(i) and Local Civil Rule 7(l) in the alternative.

3. Katie Clark
4. Sean Duan
5. Jhonnatan Enriquez
6. Alfredo Gonzalez
7. Corbin Holm
8. Erik Knooihuizen
9. John Lapaglia
10. Jacob Loomis
11. William Mac Dougall
12. Joseph Martinolich
13. Joshua O'Brien
14. John Otey
15. Joshua Pedrick
16. Noe Rosales
17. Ryan Schultz
18. Donald Spinelli
19. Caleb Theriot
20. Christopher Toft
21. Jeffrey Trodden
22. Josiah Wilkerson
23. Kyle Womack

Valve also voluntarily dismisses, or in the alternative, withdraws, its Petition with

respect to the following additional Respondent whose arbitration is also closed:

24. Drew Merriman

**A. The Arbitrations of the Concluded Respondents Ended with Awards in Valve's Favor, Rendering Relief in This Action Moot as to Them**

The Concluded Respondents' arbitrations ended with final merits awards in Valve's favor on all of their claims against Valve.<sup>2</sup> On February 24, 2025, Valve filed a separate Petition to Confirm Arbitration Award Pursuant to RCW 7.04A.220 and for a Judgment Pursuant to RCW 7.04A.250 in the Superior Court for the State of Washington in and for King's County with respect to each of the Concluded Respondents. (*See, e.g.*, Ex. 1 (exemplar Petition To Confirm)<sup>3</sup>.)

As the arbitrations of each of the Concluded Respondents are now closed (Ex. 1 at 2), Valve's Petition has become moot with respect to those arbitrations. Valve accordingly no longer seeks any relief in this action with respect to the Concluded Respondents. Therefore, Valve hereby voluntarily dismisses—or, in the alternative, withdraws—its Petition as to the Concluded Respondents. No Concluded Respondent has filed an answer or a motion for summary judgment, and no counsel has appeared for any Concluded Respondent in this action.

**B. Respondent Drew Merriman Voluntarily Withdrew His Arbitration**

Valve also voluntarily dismisses or, in the alternative, withdraws, its Petition with respect to Respondent Drew Merriman. On December 10, 2024, Mr. Merriman voluntarily

---

<sup>2</sup> While the parties disputed whether Respondents could proceed in arbitration, the arbitrator permitted the arbitrations to proceed to final awards. (Ex. 1 at 2.)

<sup>3</sup> The final merits awards in the 23 arbitrations and the Petitions To Confirm are all materially identical.

1 withdrew his arbitration from the AAA, and the AAA accordingly closed Mr. Merriman's  
 2 arbitration. (Ex. 2 (email from AAA closing Mr. Merriman's arbitration).) Valve is therefore  
 3 no longer seeking any relief with respect to Mr. Merriman, rendering its Petition with respect  
 4 to Mr. Merriman moot. Mr. Merriman likewise has not filed an answer or a motion for summary  
 5 judgment, and no counsel for Mr. Merriman has appeared in this action.  
 6

7 DATED this 26th day of February 2025.

8 CORR CRONIN LLP

9 s/ Blake Marks-Dias

10 Blake Marks-Dias, WSBA No. 28169

11 1015 Second Avenue, Floor 10

12 Seattle, Washington 98104

13 (206) 625-8600 Phone

(206) 625-0900 Fax

bmarksdias@corrchronin.com

14 Michael W. McTigue Jr., *Admitted Pro Hac Vice*

15 Meredith C. Slawe, *Admitted Pro Hac Vice*

16 SKADDEN, ARPS, SLATE,

MEAGHER & FLOM LLP

17 One Manhattan West

New York, New York 10001

18 michael.mctigue@skadden.com

meredith.slawe@skadden.com

19 *Attorneys for Petitioner Valve Corporation*  
 20  
 21  
 22  
 23  
 24

25 VALVE CORPORATION'S (I) NOTICE OF DISMISSAL  
 UNDER RULE 41(a)(1)(A)(i) OR (II) IN THE  
 ALTERNATIVE, LCR 7(l) NOTICE OF WITHDRAWAL  
 OF PETITION AS TO 24 RESPONDENTS – Page 4

**CORR CRONIN LLP**

1015 Second Avenue, Floor 10

Seattle, Washington 98104-1001

Tel (206) 625-8600

Fax (206) 625-0900